

Name & Address:

**FILED**

Jan 12, 2022

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

CAED Case No.  
2:21-cr-0207 TLN

United States of America

PLAINTIFF(S)

v.

Jong Eun Lee

DEFENDANT(S)

CASE NUMBER:

2:22-MJ-00103-DUTY

**FINAL COMMITMENT AND WARRANT OF REMOVAL**

Eastern District of California

At Sacramento  
(City)

To: United States Marshal for the Central District of California

The above-named defendant is hereby remanded to your custody and you are hereby ORDERED to remove him/her forthwith, along with a certified copy of this Commitment, to the custodian of a place of confinement within the District of Origin, approved by the Attorney General of the United States, where the defendant shall be received and safely kept until discharged in due course of law.

This defendant was arrested in this District after the filing of a(n):

- |   |  |   |   |
|---|--|---|---|
| <input checked="" type="checkbox"/> Indictment                  | <input type="checkbox"/> Information                     | <input type="checkbox"/> Complaint                                | <input type="checkbox"/> Order of court   |
| <input type="checkbox"/> Pretrial Release<br>Violation Petition | <input type="checkbox"/> Probation<br>Violation Petition | <input type="checkbox"/> Supervised Release<br>Violation Petition | <input type="checkbox"/> Violation Notice |

charging him or her with (brief description of offense) Bank Fraud Conspiracy

☒ in violation of Title 18 United States Code, Section (s) 1349

☐ in violation of the conditions of his or her pretrial release imposed by the court.

☐ in violation of the conditions of his or her supervision imposed by the court.

The defendant has now:

- ☒ duly waived arrival of process.
- ☒ duly waived identity hearing before me on 1-10-2022
- ☐ duly waived preliminary hearing before me on \_\_\_\_\_
- ☐ had a preliminary hearing before me on \_\_\_\_\_, and it appears that there is probable cause to believe that the offense so charged has been committed and that the defendant has committed it.
- ☐ had an identity hearing before me on \_\_\_\_\_, and it appears that the defendant is the person named as charged, and:
- ☐ Bail has been set at \$ \_\_\_\_\_ but has not been posted.
- ☐ No bail has been set.
- ☐ Permanent detention has been ordered.
- ☐ Temporary detention has been ordered.

1/10/2022

Date

*Rozella A. Olin*  
United States Magistrate Judge

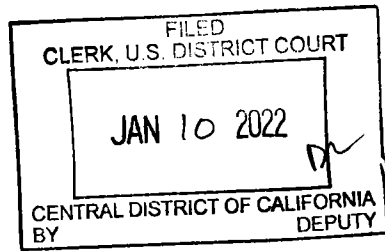
**RETURN**

Received this commitment and designated prisoner on \_\_\_\_\_, and on \_\_\_\_\_, committed him to \_\_\_\_\_ and left with the custodian at the same time a certified copy of the within temporary commitment.

United States Marshal, Central District of California

Date

Deputy



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**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
JONG EUN LEE,  
Defendant.

Case No. 22-MJ-00103-DUTY

**ORDER OF DETENTION**

**I.**

The Court conducted a detention hearing:

- ☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case:  
allegedly involving:
- ( ) a crime of violence.
  - ( ) an offense with a maximum sentence of life imprisonment or death.
  - ( ) a narcotics or controlled substance offense with the maximum sentence of ten or more years.

( ) any felony – where defendant convicted of two or more prior offenses described above.

( ) any felony that is not otherwise a crime of violence that involves a minor victim, or possession of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C. § 2250.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving, on further allegation by the Government of:

(X) a serious risk that defendant will flee.

( ) a serious risk that the defendant will ( ) obstruct or attempt to obstruct justice; ( ) threaten, injure or intimidate a prospective witness or juror, or attempt to do so.

☐ The Court concludes that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

## II.

☒ The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☐ the safety of any person or the community.

☐ The Court finds that the defendant has not rebutted by sufficient evidence to the contrary the presumption provided by statute.

1 III.

2 The Court has considered: (a) the nature and circumstances of the offense(s)  
3 charged, including whether the offense is a crime of violence, a Federal crime of  
4 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,  
5 or destructive device; (b) the weight of evidence against the defendant; (c) the  
6 history and characteristics of the defendant; and (d) the nature and seriousness of  
7 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also  
8 considered all the evidence adduced at the hearing and the arguments, the  
9 arguments of counsel, and the report and recommendation of the U.S. Pretrial  
10 Services Agency.

11 IV.

12 The Court bases its conclusions on the following:

13 ☒ As to risk of non-appearance: unverified background information; lack of  
14 bail resources; no legal immigration status; alleged offense conduct describes use  
15 of falsified passports.

16 ☐ As to danger to the community: instant allegations; lengthy criminal  
17 history, including parole violations and prior firearm conviction.

18 V.

19 ☐ The Court finds a serious risk that the defendant will

20 ☐ obstruct or attempt to obstruct justice.

21 ☐ threaten, injure or intimidate a prospective witness or juror, or  
22 attempt to do so.

23 The Court bases its conclusions on the following:

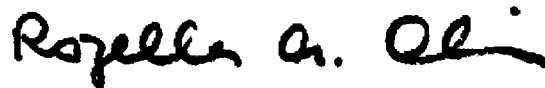
24 VI.

25 IT IS THEREFORE ORDERED that the defendant be detained until trial.  
26 The defendant will be committed to the custody of the Attorney General for  
27 confinement in a corrections facility separate, to the extent practicable, from  
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1 persons awaiting or serving sentences or being held in custody pending appeal.  
2 The defendant will be afforded reasonable opportunity for private consultation  
3 with counsel. On order of a Court of the United States or on request of any  
4 attorney for the Government, the person in charge of the corrections facility in  
5 which defendant is confined will deliver the defendant to a United States Marshal  
6 for the purpose of an appearance in connection with a court proceeding.

7 [18 U.S.C. § 3142(i)]

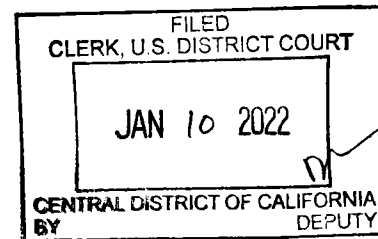
8  
9 Dated: 1/10/2022



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HON. ROZELLA A. OLIVER  
UNITED STATES MAGISTRATE JUDGE

Fermin C. Vargas (Bar No. 312308)  
Deputy Federal Public Defender  
321 East 2nd Street  
Los Angeles, CA 90012  
Tel: (213) 894-2089  
E-mail: Fermin\_Vargas@fd.org



**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

|  |  |
|--|--|
| United States of America,                | CASE NUMBER:<br><br>2:22-MJ-00103-DUTY   |
| v.<br><br>Jong Eun Lee<br><br>Defendant. | <b>ADVISEMENT OF<br/>DEFENDANT'S STATUTORY &amp;<br/>CONSTITUTIONAL RIGHTS</b> |

You are in the United States District Court for the Central District of California because you have been charged with a crime against the United States or a violation of probation, supervised release, or pretrial release. The Court informs you that you have the following constitutional and statutory rights in connection with these proceedings:

You have the right to remain silent. Anything you say, sign, or write can be used against you in this or in any other case.

If you have not already received a copy of the charges, you will receive a copy today.

You have the right to hire and be represented by a lawyer of your choosing at each and every stage of these proceedings. If you cannot afford to hire a lawyer, you can apply to the Court to have a lawyer appointed to represent you for free from the office of the Federal Public Defender or the Indigent Defense Panel. The application for free counsel includes a financial affidavit, which you must sign under penalty of perjury. If you say something on the form that is not true or leave out material information, you could be charged with another crime, such as perjury or making a false statement.

If you are not a United States citizen, you may request that the prosecution notify your consular office that you have been arrested. Even without such a request, the law may require the prosecution to do so.

**IF YOU ARE MAKING YOUR INITIAL APPEARANCE BEFORE THE COURT**

You have a right to a bail hearing in which the Magistrate Judge will determine whether you will be released from custody before trial. If you disagree with the Magistrate Judge's decision, you can appeal that decision to another Judge of this Court. You or the prosecutor can request that the bail hearing be continued to another day.

If you have been charged by complaint, you are entitled to a preliminary hearing within 14 days if the Magistrate Judge orders that you be detained pending trial, or 21 days if the Magistrate Judge orders that you be released pending trial. In a preliminary hearing, the prosecution will attempt to show that there is probable cause to believe that you committed the crime charged in the complaint. You will not be entitled to a preliminary hearing, however, if the prosecution obtains an indictment in your case before the time set for the preliminary hearing. (Most often, the prosecutors in the Central District of California present their cases to the grand jury before the time set for the preliminary hearing and, therefore, no preliminary hearing is held.)

**IF YOU ARE CHARGED WITH A VIOLATION OF  
YOUR CONDITIONS OF SUPERVISED RELEASE OR PROBATION**

If you are charged with a violation of the terms and conditions of your supervised release or probation and the Magistrate Judge detains you, you have the right to a preliminary hearing before a Magistrate Judge.

### IF YOU ARE CHARGED IN ANOTHER DISTRICT

If you have been arrested on a charge from another district, you are entitled to wait until the prosecution produces a copy of the warrant authorizing your arrest. You are also entitled to an identity hearing in which the prosecution would have the burden of proving there is probable cause to believe that you are the person named in the charges. If you are charged in a complaint from another district, you may request to have a preliminary hearing held in the charging district. If you are charged with a violation of a term of supervised release or probation imposed in another district, you have a right to a preliminary hearing, which may, depending on where the alleged violation occurred, be held either here or in the charging district.

If you want to plead guilty in the Central District of California, you may request to have your case transferred to this district. To proceed in this district, the United States Attorneys for this district and the charging district must agree to the transfer.

### IF YOU ARE APPEARING FOR ARRAIGNMENT

If you have been charged by indictment or information, you will be arraigned and may be asked to enter a not guilty plea today. After your arraignment, your case will be assigned to a District Judge of this Court for all further proceedings, unless a Judge has already been assigned.

You are entitled to a speedy and public trial by jury. The right to a jury trial can be waived.

You are entitled to see and hear the evidence and cross-examine the witnesses against you. You are entitled to the processes of the Court to subpoena witnesses on your behalf without cost to you if you are indigent. You do not have to prove your innocence. The prosecution has the burden to prove your guilt beyond a reasonable doubt.

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### ACKNOWLEDGMENT OF DEFENDANT:

I have read the above Advisement of Rights and understand it. I do not require a translation of this statement nor do I require an interpreter for court proceedings.

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Defendant*

[or]

I have personally heard a translation in the \_\_\_\_\_ Korean \_\_\_\_\_ language read to me and understand the above Advisement of Rights.

Dated: 01/10/2022

/s/ Jong Eun Lee (with permission)

\_\_\_\_\_  
*Signature of Defendant*

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### STATEMENT OF THE INTERPRETER:

I have translated this Advisement of Rights to the Defendant in the \_\_\_\_\_ Korean \_\_\_\_\_ language.

Dated: 01/10/2022

/s/ Annie Lee (with permission)

\_\_\_\_\_  
*Signature of Interpreter*

Annie Lee

\_\_\_\_\_  
*Print Name of Interpreter*

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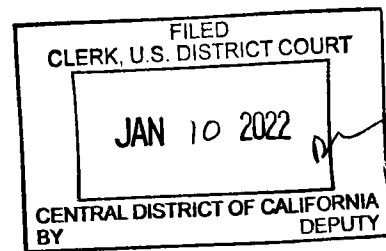
### STATEMENT OF COUNSEL:

I am satisfied that the defendant has read this Advisement of Rights or has heard the interpretation thereof and that he/she understands it.

Dated: 01/10/2022

/s/Fermin C. Vargas

\_\_\_\_\_  
*Signature of Attorney*

**NAME & ADDRESS**

Fermin C. Vargas (Bar No. 312308)  
Deputy Federal Public Defender  
321 East 2nd Street, Los Angeles, CA 90012  
Tel: (213) 894-2089 | E-mail: Fermin\_Vargas@fd.org

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA

PLAINTIFF,

v.

Jong Eun Lee

USMS Reg. #:

DEFENDANT(S).

CASE NUMBER

2:22-MJ-00103-DUTY

**CONSENT TO VIDEO/TELEPHONIC CONFERENCE  
AND/OR WAIVER OF DEFENDANT'S PRESENCE**☐ AND PROPOSED FINDINGS/ORDER*Check each that applies:*☒ CONSENT TO VIDEO CONFERENCE/TELEPHONIC CONFERENCE ☐ WAIVER OF DEFENDANT'S PRESENCE**1. Consent to Video Conference/Telephonic Conference**I, Jong Eun Lee, understand that the U.S. Constitution, the Federal Rules of Criminal

Procedure, and/or one or more federal statutes may give me the right to have all the below-listed proceedings take place in person in open court. After consultation with counsel, I knowingly and voluntarily consent to the proceedings below instead taking place by video conference or, if video conference is not reasonably available, by telephonic conference:

*Check each that applies:*

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142) | <input checked="" type="checkbox"/> Initial Appearance (Fed. R. Crim. P. 5) |
| <input type="checkbox"/> Preliminary Hearing (Fed. R. Crim. P. 5.1)  | <input checked="" type="checkbox"/> Arraignment (Fed. R. Crim. P. 10)       |
| <input type="checkbox"/> Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)                     | <input type="checkbox"/> Waiver of Indictment (Fed. R. Crim. P. 7(b))       |
| <input type="checkbox"/> Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))                     | <input type="checkbox"/> Appearances under Fed. R. Crim. P. 40              |
| <input type="checkbox"/> Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1)   |   |

*Note: to consent to an appearance by video or telephonic conference at one of the two proceedings listed below, you must also complete the "Proposed Findings" section on page 2 of this form.*

☐ Felony Pleas (Fed. R. Crim. P. 11) ☐ Felony Sentencings (Fed. R. Crim. P. 32)**2. Waiver of Defendant's Presence**

I, \_\_\_\_\_, understand that the U.S. Constitution, the Federal Rules of Criminal

Procedure, and/or one or more federal statutes may give me the right to be present at all of the below-listed proceedings - in person, by video conference, or by telephonic conference. After consultation with counsel, I knowingly and voluntarily waive my right to be present in person in open court or by video conference or by telephonic conference at the proceedings below:

*Check each that applies (and use Form CR-35 to waive the defendant's presence at other types of proceedings):*

- |   |  |
|---|--|
| <input type="checkbox"/> Detention/Bail Review/Reconsideration Hearing(s) (18 U.S.C. Sec. 3142) | <input type="checkbox"/> Probation and Supervised Release Revocation Proceedings (Fed. R. Crim. P. 32.1) |
| <input type="checkbox"/> Preliminary Hearing (Fed. R. Crim. P. 5.1)                             |  |
| <input type="checkbox"/> Pretrial Release Revocation Proceedings (18 U.S.C. Sec. 3148)          | <input type="checkbox"/> Waiver of Indictment (Fed. R. Crim. P. 7(b))                                    |
| <input type="checkbox"/> Misdemeanor Pleas and Sentencings (Fed. R. Crim. P. 43(b)(2))          | <input type="checkbox"/> Appearances under Fed. R. Crim. P. 40   |

01/10/2022

/s/ Jong Eun Lee (with permission)

Date

Defendant

☒ Signed for Defendant by Counsel for Defendant with Defendant's Authorization [Check if applicable]*In Custody?*☒ Yes ☐ No*For in-custody defendants,  
list institution where housed:*



I have translated this consent/waiver to the Defendant in the \_\_\_\_\_ language.

01/10/2022

Date

/s/ Annie Lee (with permission)

Interpreter (if required)

☒ Signed for Interpreter by Counsel for Defendant with  
Interpreter's Authorization [Check if applicable]

I am counsel for the Defendant herein. Prior to the Defendant signing this document or authorizing me to sign this document on the Defendant's behalf, I fully advised the Defendant of the Defendant's above-referenced rights and consulted with the Defendant regarding such rights and the Defendant's consent/waiver(s). I believe that the Defendant understands such rights and that the Defendant's consent/waiver(s) are knowing and voluntary, and I concur with such consent/waiver(s).

01/10/2022

Date

/s/ Fermin C. Vargas

Counsel for Defendant

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### 3. Proposed Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), felony pleas and sentencings cannot be conducted other than in person in open court unless the judge makes specific findings that the plea or sentencing "cannot be further delayed without serious harm to the interests of justice." Accordingly, if the defendant intends to consent to a felony plea or sentencing taking place by video conference or, if video conference is not reasonably available, by telephonic conference, instead of in person in open court, the defendant must set forth below proposed findings sufficient to make this showing.

### 4. Order Adopting Findings Regarding Harm of Further Delay of Felony Plea or Sentencing

Pursuant to § 15002(b)(2) of the Coronavirus Aid, Relief, and Economic Security ("CARES") Act and § 2 of Order of the Chief Judge No. 20-043 (In Re: Coronavirus Public Emergency Use of Video and Telephonic Conference in Certain Criminal Proceedings), I hereby find that the:

☐ Felony Plea (Fed. R. Crim. P. 11)

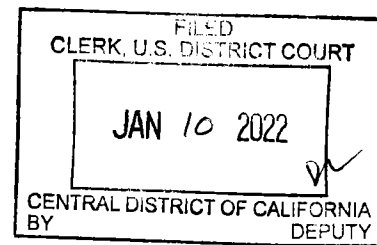
☐ Felony Sentencing (Fed. R. Crim. P. 32)

in this case cannot be further delayed without serious harm to the interests of justice, for the reasons set forth above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
United States District Judge

Fermin C. Vargas (Bar No. 312308)  
Deputy Federal Public Defender  
321 East 2nd Street  
Los Angeles, CA 90012  
Tel: (213) 894-2089  
Fax: (213) 894-0081  
E-mail: Fermin\_Vargas@fd.org



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

|                           |   |
|---------------------------|---|
| UNITED STATES OF AMERICA, | CASE NUMBER:  |
| PLAINTIFF                 | 2:22-MJ-00103-DUTY                                    |
| v.                        |   |
| Jong Eun Lee              | DECLARATION RE PASSPORT AND<br>OTHER TRAVEL DOCUMENTS |
| DEFENDANT.                |   |

I, Jong Eun Lee, declare that  
(Defendant/Material Witness)

- ☐ I have never been issued any passport or other travel document by any country. I will not apply for a passport or other travel document during the pendency of this case.
- ☒ I have been issued a passport or other travel document(s). I will surrender my passport and all other travel document(s) issued to me to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case.
- ☐ I am unable to locate my passport(s) or other travel document(s). If I locate any passport or other travel document issued to me, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.
- ☐ My passport and all other travel documents issued to me are in the possession of federal authorities. If any such document is returned to me during the pendency of this case, I will immediately surrender it to the U.S. Pretrial Services Agency. I will not apply for a passport or other travel document during the pendency of this case.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 10th day of January, 2022  
at Los Angeles, California  
(City and State)

/s/Jong Eun Lee (with permission)  
Signature of Defendant/Material Witness

If the declarant is not an English speaker, include the following:

I, Annie Lee, am fluent in written and spoken English and Korean  
languages. I accurately translated this form from English into Korean  
to declarant Jong Eun Lee on this date.

Date: 01/10/2022  
/s/ Annie Lee  
Interpreter

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Jong Eun Lee

Defendant.

Western Division

Case Number: 2:22-MJ-00103Initial App. Date: 01/10/2022Initial App. Time: 1:00 PMUNDER SEALOut of District Affidavit  
CustodyDate Filed: 01/10/2022Violation: 18:1349 and 1344CourtSmart/ Reporter: CS 1/10/2022

PROCEEDINGS HELD BEFORE UNITED STATES  
MAGISTRATE JUDGE: Rozella A. Oliver

CALENDAR/PROCEEDINGS SHEET  
LOCAL/OUT-OF-DISTRICT CASE

PRESENT: Luengo, Donnamarie

Deputy Clerk

KATHERYNN SEIDEN  
Assistant U.S. AttorneyKorean  
ANNIE EUN LEE  
Interpreter/Language☐ INITIAL APPEARANCE NOT HELD - CONTINUED☐ Court issues Order under Fed. R. Crim. P. 5(f) concerning prosecutor's disclosure obligations; see General Order 21-02 (written order).☒ Defendant informed of charge and right to: remain silent; appointment of counsel, if indigent; right to bail; bail review and☐ preliminary hearing OR ☒ removal hearing / Rule 20.☐ Defendant states true name ☐ is as charged ☐ is☐ Court ORDERS the caption of the Indictment/Information be changed to reflect defendant's different true name. Counsel are directed to file all future documents reflecting the true name as stated on the record.☒ Defendant advised of consequences of false statement in financial affidavit. ☐ Financial Affidavit ordered **SEALED**.☒ Attorney: Fermin Vargas, DFPD ☒ Appointed ☐ Prev. Appointed ☐ Poss. Contribution (see separate order)☐ Special appearance by: \_\_\_\_\_☒ Government's request for detention is: ☒ GRANTED ☐ DENIED ☐ WITHDRAWN ☐ CONTINUED☒ Contested detention hearing is held. ☒ Defendant is ordered: ☒ Permanently Detained ☐ Temporarily Detained (see separate order).☐ BAIL FIXED AT \$ \_\_\_\_\_ (SEE ATTACHED COPY OF CR-1 BOND FORM FOR CONDITIONS)☐ Government moves to UNSEAL Complaint/Indictment/Information/Entire Case: ☐ GRANTED ☐ DENIED☐ Preliminary Hearing waived. ☐ Class B Misdemeanor ☐ Defendant is advised of maximum penalties☐ This case is assigned to Magistrate Judge \_\_\_\_\_. Counsel are directed to contact the clerk for the setting of all further proceedings.☐ PO/PSA WARRANT ☐ Counsel are directed to contact the clerk for

District Judge \_\_\_\_\_ for the setting of further proceedings.

☐ Preliminary Hearing set for \_\_\_\_\_ at 4:30 PM☐ PIA set for: \_\_\_\_\_ at 11:00 AM in LA; at 10:00 AM in Riverside; at 10:00 AM in Santa Ana☐ Government's motion to dismiss case/defendant \_\_\_\_\_ only: ☐ GRANTED ☐ DENIED☐ Defendant's motion to dismiss for lack of probable cause: ☐ GRANTED ☐ DENIED☒ Defendant executed Waiver of Rights. ☒ Process received.☒ Court ORDERS defendant Held to Answer to EASTERN District of CA☐ Bond to transfer, if bail is posted. Defendant to report on or before \_\_\_\_\_☒ Warrant of removal and final commitment to issue. Date issued: 1/10/2022 By CRD: D. LUENGO☐ Warrant of removal and final commitment are ordered stayed until \_\_\_\_\_☐ Case continued to (Date) \_\_\_\_\_ (Time) \_\_\_\_\_ AM / PM

Type of Hearing: \_\_\_\_\_ Before Judge \_\_\_\_\_ /Duty Magistrate Judge.

Proceedings will be held in the ☐ Duty Courtroom ☐ Judge's Courtroom☒ Defendant committed to the custody of the U.S. Marshal ☐ Summons: Defendant ordered to report to USM for processing.☐ Abstract of Court Proceeding (CR-53) issued. Copy forwarded to USM.☐ Abstract of Order to Return Defendant to Court on Next Court Day (M-20) issued. Original forwarded to USM.☐ RELEASE ORDER NO: \_\_\_\_\_☐ Other: \_\_\_\_\_☐ PSA ☐ USPO ☐ FINANCIAL☐ CR-10 ☐ CR-29☐ READY

Deputy Clerk Initials

DL  
1/18

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

PLAINTIFF

v.

Jong Eun Lee

DEFENDANT.

CASE NUMBER:

2:22-MJ-00103-DUTY

**WAIVER OF RIGHTS  
(OUT OF DISTRICT CASES)**

I understand that charges are pending in the Eastern District of California alleging violation of 18 USC 1349; 1344 and 18 USC 1028A and that I have been arrested in this district and

*(Title and Section / Probation / Supervised Release)*

taken before a United States Magistrate Judge, who has informed me of the charge(s) and my rights to:

- (1) have an identity hearing to determine whether I am the person named in the charges;
- (2) arrival of process;

**-Check one only-**

☒ **EXCLUDING PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (unless an indictment has been returned or an information filed) to determine whether there is probable cause to believe an offense has been committed by me, the hearing to be held in this district or the district of prosecution; and
- (4) request transfer of the proceedings to this district under Rule 20, Fed.R.Crim.P., in order to plead guilty.

☐ **PROBATION OR SUPERVISED RELEASE CASES:**

- (3) have a preliminary hearing (if the violation charged allegedly occurred in this district, and I am held in custody solely on that charge) under Rule 32.1(b), Fed.R.Crim.P., to determine whether there is probable cause to believe I have violated the terms of my probation/supervised release.

**I HEREBY WAIVE (GIVE UP) MY RIGHT(S) TO:**

- ☒ have an identity hearing
- ☒ arrival of process
- ☐ have a preliminary hearing
- ☐ have an identity hearing, and I have been informed that I have no right to a preliminary hearing
- ☐ have an identity hearing, but I request that a preliminary hearing be held in the prosecuting district.

/s/ Jong Eun Lee (with permission)

Defendant

/s/ Fermin C. Vargas

Defense Counsel

Date: 01/10/2022



United States Magistrate Judge

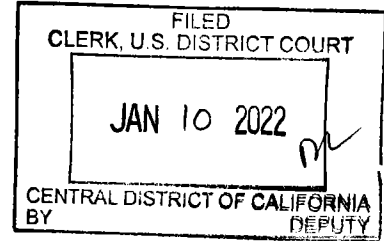
I have translated this Waiver to the defendant in the Korean language.

Date: 01/10/2022

/s/ Annie Lee (with permission)

Interpreter(if required)

CUAUHTEMOC ORTEGA (Bar No. 257443)  
Federal Public Defender  
Fermin C. Vargas (Bar No. 312308)  
Deputy Federal Public Defender  
(E-mail: Fermin\_Vargas@fd.org)  
321 East 2nd Street  
Los Angeles, California 90012-4202  
Telephone: (213) 894-2854  
Facsimile: (213) 894-0081



Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
Jong Eun Lee ,  
  
Defendant.

Case No. 2:22-MJ-00103-DUTY

**ASSERTION OF FIFTH AND SIXTH  
AMENDMENT RIGHTS**

I, the above named defendant, hereby assert my Fifth and Sixth Amendment rights to remain silent and to have counsel present at any and all of my interactions with the government or others acting on the government's behalf. I do not wish to, and will not, waive any of my constitutional rights except in the presence of counsel. I do not want the government or others acting on the government's behalf to question me, or to contact me seeking my waiver of any rights, unless my counsel is present.

/s/ Jong Eun Lee (with permission)  
(Defendant's signature)

/s/ Annie Lee (with permission)  
Interpreter - Korean

/s/ Fermin C. Vargas  
Fermin C. Vargas, DFPD

CLOSED,SEALED

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA (Western Division - Los Angeles)  
CRIMINAL DOCKET FOR CASE #: 2:22-mj-00103-DUTY All Defendants \*SEALED\*  
Internal Use Only**

Case title: USA v. Lee

Date Filed: 01/10/2022

Other court case number: 21CR207 Eastern District of  
California

Date Terminated: 01/10/2022

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Assigned to: Duty Magistrate Judge**Defendant (1)****Jong Eun Lee***TERMINATED: 01/10/2022*represented by **Fermin C. Vargas**

Federal Public Defenders Office

321 East 2nd Street

Los Angeles, CA 90012-4202

213-894-2854

Fax: 213-894-0081

Email: fermin\_vargas@fd.org

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED**Designation: Public Defender or**Community Defender Appointment***Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

Defendant in violation of 18:1349,1344

**Disposition**Defendant held to answer to the Eastern  
District of California at Sacramento

**Plaintiff****USA**represented by **Assistant 2241-2255 US Attorney LA-CR**

AUSA - Office of US Attorney

Criminal Division - US Courthouse





312 North Spring Street



Los Angeles, CA 90012-4700

213-894-2434

Email: USACAC.Criminal@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED***Designation: Assistant US Attorney*

| <b>Date Filed</b> | <b>#</b>   | <b>Docket Text</b>   |
|-------------------|--|--|
| 01/10/2022        | <a href="#"><u>1</u></a>   | AFFIDAVIT RE: OUT-OF-DISTRICT WARRANT (Rule 5(c)(3)) filed as to defendant Jong Eun Lee, originating in the Eastern District of California. Defendant charged in violation of: 18:1349,1344. Signed by agent Chris Fitzpatrice, IRS, Special Agent. USA. (mhe) (Entered: 01/11/2022)   |
| 01/10/2022        |                             | (Court only) ***Defendant Jong Eun Lee ARRESTED (Rule 5(c)(3)) (mhe) (Entered: 01/11/2022)   |
| 01/10/2022        | <a href="#"><u>2</u></a>   | REPORT COMMENCING CRIMINAL ACTION as to Defendant Jong Eun Lee; defendants Year of Birth: 1973; date of arrest: 1/10/2022 (mhe) (Entered: 01/11/2022)  |
| 01/10/2022        | <a href="#"><u>3</u></a>   | NOTICE OF REQUEST FOR DETENTION filed by Plaintiff USA as to Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)  |
| 01/10/2022        |                           | (Court only) Time in Court recorded for Detention Hearing as to Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)   |
| 01/10/2022        |  <a href="#"><u>4</u></a> | <b>SEALED</b> MINUTES OF ARREST ON OUT OF DISTRICT WARRANT held before Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee, granting <a href="#"><u>3</u></a> REQUEST for Detention as to Jong Eun Lee (1); Contested detention hearing held. Defendant arraigned and states true name is Attorney: Fermin C. Vargas for Jong Eun Lee, Deputy Federal Public Defender, present. Court orders defendant Permanently detained. Defendant remanded to the custody or currently in the custody of the US Marshal. Court orders defendant held to answer to Eastern District of California. Warrant of Removal and final commitment to issue. (KOREAN) INTERPRETER Required as to Defendant Jong Eun Lee Court Smart: CS 1/10/22. (mhe) (Entered: 01/11/2022) |
| 01/10/2022        |  <a href="#"><u>5</u></a> | <b>SEALED</b> Defendant Jong Eun Lee arrested on warrant issued by the USDC Eastern District of California at Sacramento. (Attachments: # <a href="#"><u>1</u></a> Charging Documents)(mhe) (Entered: 01/11/2022)  |
| 01/10/2022        | <a href="#"><u>6</u></a>   | ORDER OF DETENTION by Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee, (mhe) (Entered: 01/11/2022)   |
| 01/10/2022        | <a href="#"><u>7</u></a>   | CONSENT to Video Conference/Telephonic Conference filed by Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)   |

|            |  |  |
|------------|--|--|
| 01/10/2022 | <a href="#"><u>8</u></a>   | ADVISEMENT OF STATUTORY & CONSTITUTIONAL RIGHTS filed by Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)   |
| 01/10/2022 |  <a href="#"><u>9</u></a> | FINANCIAL AFFIDAVIT filed as to Defendant Jong Eun Lee. ( <b>Not for Public View</b> pursuant to the E-Government Act of 2002) (mhe) (Entered: 01/11/2022)   |
| 01/10/2022 | <a href="#"><u>10</u></a>  | ASSERTION OF FIFTH AND SIXTH AMENDMENT RIGHTS filed by Defendant Jong Eun Lee (mhe) (Entered: 01/11/2022)  |
| 01/10/2022 | <a href="#"><u>11</u></a>  | WAIVER OF RIGHTS approved by Magistrate Judge Rozella A. Oliver as to Defendant Jong Eun Lee. (mhe) (Entered: 01/11/2022)  |
| 01/10/2022 | <a href="#"><u>12</u></a>  | DECLARATION RE: PASSPORT filed by Defendant Jong Eun Lee, declaring that I have been issued a passport or other travel document(s), but they are not currently in my possession. I will surrender any passport or other travel document(s) issued to me, to the U.S. Pretrial Services Agency by the deadline imposed. I will not apply for a passport or other travel document during the pendency of this case. (mhe) (Entered: 01/11/2022)  |
| 01/10/2022 | <a href="#"><u>13</u></a>  | WARRANT OF REMOVAL AND COMMITMENT by Magistrate Judge Rozella A. Oliver that Defendant Jong Eun Lee be removed to the Eastern District of California (mhe) (Entered: 01/11/2022)   |
| 01/10/2022 |                           | (Court only) ***Magistrate Case Terminated (mhe) (Entered: 01/11/2022)   |
| 01/10/2022 |  | Notice to Eastern District of California of a Rule 5 or Rule 32 Initial Appearance as to Defendant Jong Eun Lee. Your case number is: 21CR207. The clerk will transmit any restricted documents via email. Using your PACER account, you may retrieve the docket sheet and any text-only entries via the case number link. The following document link(s) is also provided: <a href="#"><u>13</u></a> Warrant of Removal and Commitment to Another District. If you require certified copies of any documents, please send a request to email address CrimIntakeCourtDocs-LA@cacd.uscourts.gov (mhe) (Entered: 01/11/2022) |